Government of Alberta ■
Environment

ENFORCEMENT OF THE

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

And

WATER ACT

1 Jul 2010 - 30 Sep 2010

November 2010
Environmental Operations
Alberta Environment

Government of Alberta ■
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Enforcement Actions

1 Jul 2010 - 30 Sep 2010

Company/Individual	*Municipality / LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
Administrative Penalties				
Tri S Fertilizers Ltd.	Innisfail Plan 1645NY, Block 3, Lot 7 Plan 1645NY, Block 3, Lot 6D Plan 1645NY, Block 3, Lot 8	06-Jul-10 Assessed: $2,500.00	AEPEA(R) 24/97 20(2)(a) 43/97 18	The Company contravened the legislation by failing to keep proper records of the sale of a Schedule 2 pesticide, and the sale at retail of a Schedule 2 pesticide to an unauthorized purchaser. Paid 12 August 2010.
Daylight Energy Ltd.	Yellowhead County NE-9-21-1-W5	26-Aug-10 Assessed: $10,000.00	AEPEA(R) 227(e)	The Company operates the Medicine Lodge Sour Gas Plant pursuant to an approval. It contravened its Approval by submitting the 2008 and 2009 Annual Air Summary and Evaluation reports late; failing to record the static elevations of fluid phases in the groundwater samples collected; failing to submit all the required information in the 2008 Annual Groundwater Monitoring Program Summary Report; late submission of the 2008 Soil Management Program Report; and failing to immediately report a Contravention of the Approval. Paid 27 September 2010.
Minsky, Kenneth Jack	Sturgeon County Plan 0720238, Block 1, Lot 2	15-Sep-10 Assessed: $4,000.00	WA 36(1)	Mr. Minsky conducted an unauthorized activity in a water body, the in-filling and re-alignment of the creek during the construction of a new man-made channel which has permanently altered the flow or level of water in the watercourse. This activity has affected the natural drainage patterns on the lands and will change the location or flow of water during a future flood event. Notice of Appeal received by the Environmental Appeals Board 13 October 2010.

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Amended Enforcement Orders				
Ahlskog, Harvey and Gail	Parkland County 4-53-5-W5	02-Jul-10	WA 36(1)	Amendment No. 1 to WA-EO-2010/01-CR issued deleting "July 1, 2010" and replacing it with "July 15, 2010" in Clause 2.

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Amended Environmental Protection Orders				
Stross Management Ltd & Stross, Maurice	Edmonton Plan 436RS, Block A, Lot 6A	20-Aug-10	AEPEA(R) 113	Amendment No. 1 to EPO-2010/16-NR issued substituting August 31, 2010 for July 27, 2010 in Clause 3; Substituting September 10, 2010 for August 3, 2010 in paragraph a. clause 3 (re: "Option A"); and Substituting September 10, 2010 for August 3, 2010 in paragraph b. clause 3 (re: "Option B").

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Enforcement Orders				
IKO Industries Ltd.	Calgary SE-2-24-1-W5	23-Jul-10	WA 49(1)	IKO Industries Ltd. ["IKO"] operates a building manufacturing facility pursuant to an Approval. The Company withdraws water from a groundwater well for use in its operations at the Facility, and the Well is located within and draws water from the Bow River water basin. In September, 2006, Alberta Environment ["AENV"] advised that they required a licence under the Water Act in order to divert and use water from this source. AENV issued a moratorium on further water withdrawals from the Bow River Basin and permitted IKO to obtain an alternate legal water source. The Company has yet to reach a solution for an alternate water source under a number of potential options and continues to divert water from the unlicenced Well. On or before November 1, 2010, the Company shall advise in writing of its choice of an alternative water source for operations at the Facility and, on or before February 1, 2011, immediately cease unlawfully withdrawing water from the Well, subject to receiving authorization from AENV prior to that date to lawfully withdraw water from the Well.

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Environmental Protection Orders				
Stross Management Ltd & Stross, Maurice	Edmonton Plan 436RS, Block A, Lot 6A	15-Jul-10	AEPEA(R) 113	Stross Management Ltd. is the registered owner of the lands legally described as Lot 6A, Block A, Plan 436RS, Maurice Stross is the sole directing mind for the activities described in relation to the Site. The Parties have operated various businesses on the Site, including a trucking business and have stored fuel in underground storage tanks in relation to their business activities. A Petroleum Storage Tank Closure report submitted to the Petroleum Tank Management Association of Alberta dated May 28 2002 indicated that a quantity of contaminated soil was removed from the Site during decommissioning of underground storage tanks and was transported to an unknown location. The report also indicated that the contractors stopped removing the contaminated soils due to strong petroleum odours, and that the excavation was filled in without any confirmatory sampling being conducted. A Phase II Environmental Assessment conducted July 2008 at the neighbouring property concluded that "significant" hydrocarbon contamination had impacted that property. Alberta Environment ["AENV"] requested the Parties provide a delineation and remediation plan for the contamination on the Site and on off-site areas, to date these requests have been refused. AENV is of the opinion that a release of substances into the environment has occurred, and that the release has caused and may continue to cause an adverse effect and that remedial action is required. The parties shall immediately cease all excavation activities at the Site; ensure that open excavation is secured and that the amount of surface water which may flow into the excavation is minimized; advise of the treatment and/or disposal of the Stockpile; dispose of any contaminated soil to an approved waste management facility; submit both a Delineation and Remediation Plan prepared by a qualified environmental professional; implement the work set out in the Remediation Plan; and submit a Final Report.
Aries Resources Ltd	County of Paintearth NW-6-36-12-W4	23-Jul-10	AEPEA(R) 113	Aries Resources Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate

Company/Individual	*Municipality / LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
Environmental Protection Orders				
			140	the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Aries Resources Ltd	County of Paintearth NW-1-37-13-W4	23-Jul-10	AEPEA(R) 140 113	Aries Resources Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Aries Resources Ltd	County of Stettler NW-4-34-18-W4	23-Jul-10	AEPEA(R) 113 140	Aries Resources Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial

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Environmental Protection Orders				
				Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Aries Resources Ltd	Provost NE-14-37-13-W4	13-Sep-10	AEPEA(R) 113 140	Aries Resources Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Snowbird Resources Ltd.	Red Deer County SW-8-36-23-W4	13-Sep-10	AEPEA(R) 140 113	Snowbird Resources Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Arkalta Energy Incorporated	County of Lethbridge	14-Sep-10	AEPEA(R)	Arkalta Energy Incorporated ["The Company"] was licenced or otherwise

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	SE-26-10-19-W4		140 113	authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Apex Energy (Canada) Inc.	Debolt SW-22-70-26-W5	17-Sep-10	AEPEA(R) 113 140	Apex Energy Inc. ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Calco Resources Ltd.	Red Deer County NE-31-34-27-W4	21-Sep-10	AEPEA(R) 140 113	Calco Resources Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. The ERCB issued an Abandonment Order to the Company and Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing

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Environmental Protection Orders				
				or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.

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Field Warning				
Picture Butte, Town of	Picture Butte	24-Aug-10	AEPEA(R) 227(e)	The Town operates the Picture Butte Waterworks System pursuant to an approval. It contravened its approval by failing to immediately report a contravention of the terms and conditions of the Approval.
G. Wiebe Excavating Ltd.	Turin	08-Sep-10	AEPEA(R) 277/203 13(2)	Field Warning issued for contravention of Section 13(2) AR 277/2003; Permit a connection in a waterworks system that may allow a substance to cause an adverse affect.

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Prosecutions				
Petenco Resources Ltd.		05-Aug-10 Penalty: $22,500.00	AEPEA(R) 227(j)	Count 1: On or about the 14th day of March 2008, at or near Drayton Valley in the Province of Alberta, being a person who releases or causes or permits the release of a substance into the environment that may cause, is causing or has caused an adverse effect, did fail, as soon as that person knew or ought to have known of the release to report it to the Director, contrary to section 110(1) of the Environmental Protection and Enhancement Act and did thereby commit an offence contrary to section 227(j) of the Environmental Protection and Enhancement Act. Pled guilty and was sentenced to a global penalty of $22,500.00, $11,250.00 to be paid as a fine while the remainder of the funds will be paid to fund a wetland restoration project in the County of Wetaskiwin. Fine paid 5 August 2010.
Petenco Resources Ltd.		05-Aug-10 Penalty: $22,500.00	AEPEA(R) 227(j)	Count 3: On or between the 14th day of March 2008 and the 28th day of April, 2008, at or near Drayton Valley in the Province of Alberta, where a substance that may cause, is causing or has caused an adverse effect is released into the environment, and being the person responsible for the substance did fail, as soon as that person became aware or ought to have been aware of the release, to take all reasonable measures to remediate, manage, remove or otherwise dispose of the substance in such a manner as to prevent an adverse effect or further adverse effect, contrary to section 112(1)(ii) of the Environmental Protection and Enhancement Act and did thereby commit an offence contrary to section 227(j) of the Environmental Protection and Enhancement Act. Pled guilty and was sentenced to a global penalty of $22,500.00, $11,250.00 to be paid as a fine while the remainder of the funds will be paid to fund a wetland restoration project in the County of Wetaskiwin. Fine paid 5 August 2010.

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Tickets				
Berg, Wilhelm Kethler	Taber NW-32-9-17-W4	15-Sep-10 Penalty: $115.00	AEPEA(R) 61	Mr. Berg conducted an activity, the burning of prohibited debris in an open fire without an Approval. Paid 15 September 2010.

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Warning Letters				
Pridie, David	MD of Foothills NE-33-18-29-W4	05-Jul-10	WA 36(1)	Mr. Pridie conducted an activity, the placement of concrete rubble, during various stages, along the banks of the Highwood River extending past the expiry date of the Approval.
Armstrong, Tyler	Calgary Plan 310AK, Block 6, Lot 18-20	19-Jul-10	WA 36(1)	Mr. Armstrong conducted an activity, the removal of existing works and disturbing of ground along the bank of Elbow River on or about November 2, 2009, without first obtaining proper approval from AENV.
Tellier Enterprises Ltd.	MD of Bonnyville NW-20-63-8-W4	23-Jul-10	WA 36(1)	The Company conducted an activity, the unauthorized construction of a dugout and water diversion structure in a wetland commencing on our about October 29, 2009.
Carma Developers Ltd.	Edmonton NE-16-51-24-W4	27-Jul-10	WA 36(1)	The Company conducted an activity, the unauthorized destruction of wetlands commencing in 2008.
Parsons Water Wells Ltd. (o/a AMA Drilling)	Red Deer County	04-Aug-10	WA 142(1)(b)	The Company failed to submit water well records within 60 days of well completion as required under the Water Act.
Duplain, David	Red Deer County NW-15-37-28-W4	06-Aug-10	WA 36(1)	Mr. Duplain conducted an activity, the unauthorized placement of material on the bank of the Red Deer River between 2005 and 2009.

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Warning Letters				
1204574 Alberta Ltd	Clearwater County SE-1-39-7-W5 Plan 0223136, Block 2, Lot 1	16-Aug-10	WA 142(1)(e)	The Company failed to report the volumes of water pumped from a well from September 1, 2009 to May 20, 2010 and the measurements of the water levels in the water well to the Water Use Reporting website from October 10, 2007 to May 20, 2010 as required by a Licence under the Water Act.
Benalto Agri Services Ltd.	Clearwater County SE-1-39-7-W5 Plan 0223136, Block 2, Lot 8	16-Aug-10	WA 142(1)(e)	The Company failed to report the volumes of water pumped from a well and the measurements of the water levels in the water well to the Water Use Reporting website from August 1, 2007 to April 20, 2010 as required by a Licence under the Water Act.
Hub Oil Company Ltd	Calgary NW-11-24-29-W4 Plan 5527HK, Lot 1	31-Aug-10	AEPEA(R) 227(e)	The Company operates the Calgary Used Oil Recycling Plant pursuant to an Approval. It contravened its approval by failing to conduct groundwater monitoring and submit the data by March 31 of the following year for the 2008 and 2009 sampling events.

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		Water Management Orders		
No Activity				